



AboveNet

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AboveNet, Inc.
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Mariene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RE: Certification of CPNI Filing (February 6, 2006)
EB Docket No. 06-36, EB-06-TC-060

Dear Ms. Dortch:

AboveNet Communications, Inc. respectfully submits the enclosed customer proprietary network information ("CPNI") compliance statement in accordance with the Enforcement Bureau's Public Notice dated January 30, 2006.

AboveNet Communications, Inc. currently provides fiber connectivity solutions to carriers and large enterprise customers. As a result, it does not have or collect personally identifiable CPNI, such as call detail records, about its customers. Nonetheless, AboveNet Communications, Inc. is committed to maintaining the privacy of all customer information, and its Code of Conduct explicitly prohibits the disclosure of any customer information, except as required by law.

The following statement describes the policies that the company has implemented to ensure the privacy of its customers' personal information.

Respectfully submitted,

Jill Sanford
Associate General Counsel



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CERTIFICATION

I, Robert Sokota, am Senior Vice President, General Counsel and Secretary of AboveNet Communications, Inc.. I have personal information of the policies that the company has instituted to safeguard its customers' personal information. I relied on Attachment A in making this certification.

NAME: Robert Sokota

TITLE: Senior Vice President, General Counsel, and Secretary

Date

Attachment A

AboveNet Communications, Inc. provides fiber connectivity services to carriers and large enterprise customers. AboveNet Communications, Inc. has adopted a Code of Conduct that requires all employees to safeguard all information derived by virtue of the carrier-customer relationship. Under the Code of Conduct, all employees are prohibited from using customer information other than for providing service to the customer or as required to be disclosed by law.

AboveNet Communications, Inc. uses the information that it obtains from the carrier-customer relationship for the following purposes: (1) to bill and collect for services rendered; (2) to protect its rights or property; (3) for network maintenance; and (4) as required by law.

AboveNet Communications, Inc. does not use CPNI for any marketing purposes. Specifically, AboveNet Communications, Inc. does not use CPNI to market services to its existing customers. Nor does AboveNet Communications, Inc. share, sell, lease or otherwise provide CPNI to any of its affiliates, suppliers, vendors, or any other third party for the purpose of marketing any service.

All company employees are required to abide by the Code of Conduct, which, as stated above, requires the employees to maintain the confidentiality of customer information. Employees who violate the Code of Conduct may be subject to disciplinary action.